Writ Petition no. 358(S/S) of 2003

Smt. Rukmani Gupta and others------ Petitioners

Versus

Director, I.C.D.S. and others Respondents

Hon'ble M.M.Ghildiyal J.

Heard Sri A.K.Sharma learned counsel for the petitioners and learned Standing Counsel.

The petitioners were earlier offered the job of Anganbadi Karyakatri in block Khanpur, district Muzaffarnagar in the year 1985. The said offer came to an end in October 1990 because of creation of district Haridwar as the block of Khanpur which was earlier included in district Muzaffarnagar was included in district Haridwar. It is not disputed that the petitioners are not working as Anaganbadi Karyakatri since 1990. After the creation of Uttaranchal the District Magistrate Haridwar recommended the case of the petitioners for the job of Anganbadi Karyakatri by order dated 8.7.2002. The District Magistrate has stated that the project is going to start in clock Khanpur and since the petitioners have worked earlier and have also undertaken the training they may be appointed as Anganbadi Karyakatri. The Additional Secretary of Government of Uttaranchal vide letter dated 31.3.2003 addressed to the Director, I.C.D.S. Uttaranchal directed to appoint the petitioners on certain conditions, such as, the appointment shall be treated as a new appointment and the appointment shall be made only if the petitioners belong to the same village and are living below the poverty line and further have not crossed more than 45 years of age. Learned counsel for the petitioners has submitted that he is aggrieved only to one condition that the appointment shall be treated as anew appointment. The petitioners services came to an end in the year 1990. In case the petitioners are given appointment as Anganbadi Karyakatri in pursuance to the letter dated 31.3.2003 the same shall be treated as new appointment. Learned counsel for the petitioners has submitted that the petitioners may be absorbed and their earlier services may be added. The writ petition is misconceived and as such is dismissed. No order as to costs.

(M.M.Ghildiyal J.)

July 07, 2003
MPS